



DELAWARE-OTSEGO AUDUBON SOCIETY, INC.

P.O. Box 544, ONEONTA, NY 13820

Public Comments on Bluestone Wind Project 19 February 2019

Organizational background:

1. The Delaware-Otsego Audubon Society has operated the Franklin Mountain Hawk Watch near Oneonta since 1989. With specific weather conditions, the terrain around the site concentrates large numbers of migrant Golden Eagles in fall, averaging 138 per season.
2. Since 2010 we have operated baited, winter camera trapping sites on 23 properties in Delaware and Otsego Counties, north and east of the project area. Many of the sites operated for multiple winter seasons. Golden Eagles were recorded at most sites across the region in winter.
3. We trapped and GPS tagged 8 Golden Eagles, 7 in far eastern Delaware County. Much of the available data on winter residents in New York are from our birds trapped 40 miles east of the project.

What we know:

1. The proposed project is in a concentrated part of the eastern Golden Eagle migration corridor. This has been well documented by GPS tracking and organized surveys.
2. When conditions are not ideal at Franklin Mountain, fall migrating Golden Eagles spread out on the landscape.
3. Golden Eagles are known to be vulnerable to impacts from industrial wind projects.
4. The project area is near the winter habitat where the highest number of Golden Eagle have been found in New York. The terrain and land cover is similar. Until very recently, little effort has gone into studying this area.
5. The proposed project is several miles from the Cannonsville Dam, which is one of the most significant Bald Eagle concentration areas in the state. It harbors large numbers in winter and multiple nests are nearby.

What we have done:

1. In fall of 2017, and late winter/early spring of 2018, using funds awarded through the Article 10 Intervenor funding process we conducted 253 hours of raptor surveys in the project area. We targeted the peak of the fall Golden Eagle migration, and the early spring migration. Golden Eagle migrants in early spring are almost exclusively breeding age birds. Juveniles migrate later and do not concentrate during migration as much as adults. Reports from our surveys have been submitted to the NYSDPS and are available on their website.

What we have learned:

1. During fall 2017, we recorded significant numbers of migrating Golden Eagles from the survey site. Notably, on the best days at the Franklin Mountain Hawk Watch, few or none were seen

- near the project. On several days with conditions that do not favor Franklin Mountain, more were seen in the project study area, indicating a broader movement on those days.
2. During late winter 2018 we found significant numbers of migrating Bald and Golden Eagles.
 3. During late winter 2018 we observed many Golden Eagles that were not migrating (20 sightings). Close examination of plumage determined this to be at the very least 6 individuals. Most were juveniles which migrate later than these surveys were conducted. Multiple Golden Eagles have been documented during February 2019. DOAS considers these birds local, winter resident Golden Eagles.
 4. During late winter 2018 we observed very high numbers of non-migrant Bald Eagles (218 sightings over 105 hours).

Further efforts:

1. We are currently conducting additional surveys to determine if the high numbers of eagles seen in 2018 were an anomaly, or if the area is an annual concentration area for winter resident eagles.

Concerns

The presence of large numbers of eagles of both species raises concerns about impacts:

1. The habitat and terrain is good for eagles. There is a 4 season presence of Bald Eagle and a 3 season presence of Golden Eagle. They are unlikely to stop using the area after construction. Emerging technologies that sense and identify eagles are becoming effective. Once these systems are proven effective, they should be used on this project. This should be a contingency for approval of the project.

If the project is built, a range of efforts will be needed to discourage eagle use of the area:

1. Both eagle species are opportunistic scavengers in winter. With concentrations of eagles in the region, sources of food must be kept to a minimum in the project area. This will require cooperation from a diverse set of entities with their own priorities and limitations: highway departments; hunters; livestock owners; private landowners; town governments; NYSDEC; multiple law enforcement agencies; etc.
2. Dead livestock is frequently disposed of by hauling it off for scavengers. How will the additional work and expense of proper disposal be addressed?
3. Eagles have been observed concentrating around road-killed deer in the project area. Any effort to reduce the number of road-killed deer available faces several obstacles: Who will be responsible? (4 highway departments operate in the region); Some deer move considerable distance before dying - off the highway right-of-way.
4. Because such efforts will need to be sustained for decades, we believe the only way carcass removal could work effectively would be for the project owner to hire contractors to remove both deer and livestock carcasses for proper disposal. This would need to happen for the life of the project.
5. A reduction in deer density in the project would reduce opportunities for eagles to feed, regardless of the causes of deer mortality. Would NYSDEC issue DMAP permits in these towns to reduce deer density?
6. Coyote hunting bait sites are known eagle attractants. We understand that such sites exist in the area. How will the project developer, NYSDEC, and town governments address this complicated issue?

Poor options for mitigating impacts to Golden Eagle:

1. If the project is built, it will do so after receiving an Incidental Take Permit from the USFWS. Such permits require mitigation so as to not have a net loss in the population of eagles. USFWS uses a predictive model for mitigating impacts to Golden Eagles that is designed for western landscapes. The retrofitting of power poles to reduce electrocution is effective in the west where utility poles are some of the few perch sites available. In the east, where countless natural perches exist, and utility poles are frequently near roads (which Golden Eagles tend to avoid), this form of mitigation is ineffective.
2. We are unable to find any evidence that power pole retrofitting is effective in the east. Thus, we consider that approach essentially a failure to mitigate impacts to Golden Eagle in this area.
3. Lead poisoning is a significant cause of mortality for scavenging birds across the country, including our region. While the predictive models for lead abatement may not be as well established as the power pole model, lead abatement is a better option for the east.
4. We are discussing with Calpine the possibility of mitigation beyond what USFSW will require using lead abatement as the additional method.